

The Supreme Court of Ohio

State of Ohio

Case No. 2022-0078

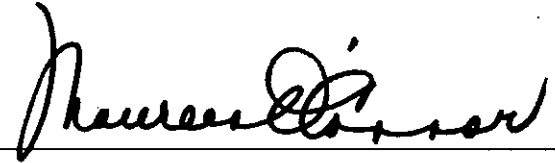
v.

ENTRY

David C. Morris

Upon consideration of the jurisdictional memoranda filed in this case, the court declines to accept jurisdiction of the appeal pursuant to S.Ct.Prac.R. 7.08(B)(4).

(Summit County Court of Appeals; No. 13366)

A handwritten signature in black ink, appearing to read 'Maureen O'Connor', is written over a horizontal line.

Maureen O'Connor
Chief Justice

STATE OF OHIO

COUNTY OF HAMILTON

IN THE COURT OF APPEALS
NINTH JUDICIAL DISTRICT

STATE OF OHIO

Appellee

v.

DAVID C. MORRIS

Appellant

CA No. 1336

JOURNAL ENTRY

Mr. Morris has filed an application with this Court to reopen his direct appeal. The State of Ohio has responded in opposition. Pursuant to App.R. 14(D)(1), an application for reopening must be filed "within ninety days from journalization of the appellate judgment unless the application shows good cause for filing at a later time." This Court decided the direct appeal on April 27, 1988, but Mr. Morris did not file his application for reopening until October 22, 2021. Accordingly, Mr. Morris' application is untimely, and he has not demonstrated good cause for the untimely filing of this application. Accordingly, Mr. Morris' application for reopening is denied.

Betty Sutton
Clerk

CHAND
Clerk
Columbus, I.

Sandra Kurt - Summit County Clerk of Courts

-- Court of Appeals Case Information --

-- 4/28/2022 --

[Home](#)
[Parties](#)
[Dockets / Trial Case Dockets](#)
[Service](#)
[Logoff](#)

Court of Appeals Case No	File Date	Type	Judge
CA-13366	10/01/1987	NOTICE OF APPEAL - CRIMINAL COMMON PLEAS	--

Parties

-- Plaintiff --

-- Defendant --

ID	ID
Plaintiff (PLTF/APPELLEE) STATE OF OHIO 53 UNIVERSITY AVE AKRON OH 44308	Defendant DAVID C. MORRIS GRAFTON CORRECTIONAL A198637 GRAFTON OH 44044

Trial Court Information

No Trial Court Information for this case

Last 5 or Less Dockets If Any

Docket Entries

Filing Date	By Atty	Docket Text	Document
04/20/2022	DAVID MORRIS	JOURNAL ENTRY. SUPREME COURT OF OHIO UPON CONSIDERATION OF THE JURISDICTIONAL MEMORANDA FILED IN THIS CASE, THE COURT DECLINES TO ACCEPT JURISDICTION OF THE APPEAL PURSUANT TO S.C.T.PRAC.R.7.08(B) (4) ADDITIONAL REQUIREMENTS DETAILED IN ORDER. CHIEF MAGISTRATE O' CONNOR	Document 1
01/26/2022	DAVID MORRIS	***2022-0078***APPELLANT DAVID C. MORRIS' NOTICE OF APPEAL TO THE SUPREME COURT OF OHIO FILED	Document 2
12/29/2021	STATE OF OHIO	REGULAR MAIL SERVICE - MAILED DAVID C. MORRIS	No Image
12/29/2021	STATE OF OHIO	REGULAR MAIL SERVICE - MAILED JACQUENETTE S. CORGAN	No Image
12/29/2021	STATE OF OHIO	JOURNAL ENTRY. MR. MORRIS' APPLICATION IS UNTIMELY AND HE HAS NOT DEMONSTRATED GOOD CAUSE FOR THE UNTIMELY FILING OF THIS APPLICATION. ACCORDINGLY, MR. MORRIS' APPLICATION FOR REOPENING IS DENIED. JUDGE BETTY SUTTON CONCUR: JUDGE DONNA J. CARR AND JUDGE LYNNE S. CALLAHAN	Document 3

If you don't have Adobe Acrobat Reader to view documents, you can get it here. [Get Adobe Acrobat Reader](#)

Click the back button on the browser to go to previous page.

IN THE COURT OF COMMON PLEAS
COUNTY OF SUMMIT

MAY

Term 19 87

THE STATE OF OHIO

vs.

(A) DAVID C. MORRIS

PAGE ONE OF TWO

No. CR 87 04 0423

JOURNAL ENTRY

THIS DAY, to-wit: The 28th day of August, A.D., 1987, now comes the Prosecuting Attorney on behalf of the State of Ohio, the Defendant, DAVID C. MORRIS, being in Court with counsel, H. PAUL COLLINS and THOMAS TEODOSIO, for trial herein. Heretofore on August 25, 1987, said Defendant voluntarily waived in open Court by written waiver and relinquished his right to a trial by Jury and elected to be tried by a panel of three Judges with full knowledge of his Constitutional rights to a trial by Jury under the laws of the State of Ohio.

Thereupon, the Defendant had previously plead GUILTY to AGGRAVATED ROBBERY, as contained in Counts Three (3), Four (4), Five (5), Six (6) and Seven (7) of the Indictment, with SPECIFICATION ONE TO COUNT THREE, SPECIFICATION ONE TO COUNT FOUR, SPECIFICATION ONE TO COUNT FIVE, SPECIFICATION ONE TO COUNT SIX, and SPECIFICATION ONE TO COUNT SEVEN, and to the charge of KIDNAPPING, as contained in Count Nine (9) of the Indictment, with SPECIFICATION ONE TO COUNT NINE, which pleas were accepted by the Court.

Thereupon, the trial commenced on the remaining counts in the Indictment and not being completed, adjourned from day to day until August 28, 1987 at 3:35 O'Clock P.M., at which time the Judges having heard the testimony adduced by both parties hereto, the arguments of counsel, retired to chambers for deliberation. And thereafter, to-wit: On this same day, August 28, 1987 at 5:40 O'Clock P.M., said Judges returned their verdict finding said Defendant GUILTY of AGGRAVATED MURDER, as contained in Count One (1) of the Indictment, with SPECIFICATION THREE TO COUNT ONE, NOT GUILTY of the SPECIFICATION ONE TO COUNT ONE and the SPECIFICATION TWO TO COUNT ONE, GUILTY of AGGRAVATED ROBBERY, as contained in Count Two (2) of the Indictment, with SPECIFICATION ONE TO COUNT TWO.

GUILTY of ATTEMPTED AGGRAVATED MURDER, as contained in Count Eight (8) of the Indictment, with SPECIFICATION ONE TO COUNT EIGHT, and GUILTY of CARRYING CONCEALED WEAPON, as contained in Count Ten (10) of the Indictment.

Thereupon, the Court inquired of the said Defendant if he had anything to say why Judgment should not be pronounced against him; and having made a statement to the Court and showing no good and sufficient cause why judgment should not be pronounced:

IT IS, THEREFORE, ORDERED AND ADJUDGED BY THIS COURT that the Defendant, DAVID C. MORRIS, be imprisoned and confined in the OHIO STATE PENITENTIARY at Chillicothe, Ohio for: an actual Three (3) Years mandatory sentence for possession of a firearm and for the REMAINDER OF HIS NATURAL LIFE for punishment of the crime of AGGRAVATED MURDER, Ohio Revised Code Section 2903.01(B), a special felony; for an actual Three (3) Years mandatory sentence for possession of a firearm and for an indeterminate period of not less than Ten (10) Years and not more than the maximum of Twenty Five (25) Years for punishment of the crime of AGGRAVATED ROBBERY, on each of six (6) counts, Ohio Revised Code Section 2911.01(A)(1), aggravated felonies of the first (1st) degree; for an actual Three (3) Years mandatory sentence for possession of a firearm and for an indeterminate period of not less than Seven (7) Years and not more than the maximum of Twenty Five (25) Years for punishment of the crime of ATTEMPTED AGGRAVATED MURDER, Ohio Revised Code Section 2923.02 and 2903.01(B), a felony of the first (1st) degree; for an actual Three (3) Years mandatory sentence for possession of a firearm and for an indeterminate period of not less than Eight (8) Years and not more than the maximum

No.

Page

Journal

COMMON PLEAS COURT

COUNTY OF SUMMIT

JOURNAL ENTRY

THE STATE OF OHIO

87

19

Entered

Min.

Judge Presiding

IN THE COURT OF COMMON PLEAS
COUNTY OF SUMMIT

MAY

Term 19 87

THE STATE OF OHIO

vs.

(A) DAVID C. MORRIS

PAGE TWO OF TWO

No. CR 87 04 0423

JOURNAL ENTRY

of Fifteen (15) Years for punishment of the crime of KIDNAPPING, Ohio Revised Code Section 2905.01(A)(2), an aggravated felony of the second (2nd) degree; and for a definite period of Two (2) Years for punishment of the crime of CARRYING CONCEALED WEAPON, Ohio Revised Code Section 2923.12, a felony of the third (3rd) degree, and that the said Defendant pay the costs of this prosecution for which execution is hereby awarded; said monies to be paid to the Summit County Clerk of Courts, Court House, Akron, Ohio, 44308.

IT IS FURTHER ORDERED that the sentence imposed in Counts One (1), Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7), Eight (8), Nine (9) and Ten (10) be served CONSECUTIVELY and not concurrently with each other.

IT IS FURTHER ORDERED that the mandatory Three (3) Year sentences imposed on the firearm specification in Count Two (2) be served CONCURRENTLY with the mandatory three (3) Year sentence imposed in Count One (1); that the mandatory Three (3) Year sentence imposed on the firearm specification in Count Eight (8) be served CONCURRENTLY with the mandatory three (3) Year sentence imposed in Count Three (3); and that the mandatory Three (3) Year sentence imposed on the firearm specification in Count Nine (9) be served CONCURRENTLY with the mandatory three (3) Year sentence imposed in Count Seven (7), and further that the three (3) Year mandatory sentences imposed in Counts One (1), Three (3), Four (4), Five (5), Six (6) and Seven (7) be served CONSECUTIVELY with all other specifications and sentences imposed herein. IT IS FURTHER ORDERED that all three (3) Year mandatory sentences imposed herein be served prior to the sentences imposed in Counts One (1), Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7), Eight (8), Nine (9) and Ten (10).

Thereupon, the Court informed the Defendant of his right to appeal pursuant to Rule 32A2, Criminal Rules of Procedure, Ohio Supreme Court, and further appoints Attorney H. Paul Collins and Thomas Teodosio for purposes of filing said Defendant's appeal.

APPROVED:

August 31, 1987

hm

DONALD B. McFADDEN, Judge
Court of Common Pleas
Summit County, Ohio

JOHN W. REECE, Judge
Court of Common Pleas
Summit County, Ohio

W. F. SPICER, Judge
Court of Common Pleas
Summit County, Ohio

cc: Prosecutor Sharon Long
Prosecutor Michael Carroll
Criminal Assignment
Attorney H. Paul Collins
Attorney Thomas Teodosio
Psycho-Diagnostic Clinic
Adult Probation Department
Bopking
SIU
Grand Jury

No. _____	Page _____
COMMON PLEAS COURT	
COUNTY OF SUMMIT	
JOURNAL ENTRY	
THE STATE OF OHIO	
89	12
Summit	Judge Presiding